

Arizona Developmental Disabilities Planning Council Legislative Update: February 1, 2013

The legislature has been in session for 17 days (as of Jan 30) and has introduced 788 bills and 38 resolutions and memorials. About 41 bills have potential to relate to the Arizona Developmental Disabilities Planning Council interests; 27 of these are significant enough to track at this time. Nine of these 41 bills have been heard in committee meetings and are moving forward (see matrix below).

Key dates: February 4, 2013 is the last day for Senate bills to be introduced. The Legislative Council completes delivery of the House intro sets. February 11, 2013 is the last day for House Bills to be introduced.

Aside from tracking legislation, our efforts this week revolved around two key activities. First, we continue to visit individual elected officials in order to build long-term relationships with the Arizona Developmental Disabilities Planning Council. This has been very productive as we speak to our statewide representatives about the resources the ADDPC can offer to them.

Secondly, legislators often ask if there is specific legislation that we would like them to introduce. While we cannot ‘lobby’ we can speak about the potential impact of proposed legislation on those with developmental disabilities. For example, HB 2476 changes how school districts can use ‘isolation rooms’. Representative Townsend introduced this landmark legislation. We discussed with her the work the Planning Council has supported using Positive Behavioral Intervention Strategies (PBIS). National research as well as local experience shows that PBIS strategies are more effective than isolating, suspending, or expelling students from school.

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Bill Status Summary Table**February 1, 2013**

Key:

Passed	In Progress	Failed
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Please refer to the Glossary at the end of the document for definitions of unfamiliar terms.

* Indicates items new to the report this week

BILLS RELATED TO DEVELOPMENTAL DISABILITY ISSUES			
Bill Number	Sponsor	Brief Description	Status
HB 2001 Fact Sheet Pending	Representative C. Seel (REP)	State Health Care Exchange; Prohibition To make someone other than the State of Arizona responsible for establishing and administering the Health Insurance Exchange in AZ.	Not yet assigned to committee.
HB2016 Fact Sheet Pending	Representative P. Lovas (REP)	Technical Correction; Children; Guardianship This law amends or changes the Arizona Revised Statutes relating to dependent children.	Not yet assigned to committee.
HB2022 Fact Sheet Pending	Representative S. Montenegro (REP)	Technical Correction; DES This law amends or changes the Arizona Revised Statutes relating to child welfare and placement.	Not yet assigned to committee.

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Bill Number	Sponsor	Brief Description	Status
HB 2044 Fact Sheet Pending	Representative H. Carter (REP)	Arizona Health Care Cost Containment System (AHCCCS); Continuation. Extend the AHCCCS system for 10 more years to July 1, 2023.	Assigned to Health Committee. House second read: 1/16/13 Recommendation: Do Pass 1/29/13: Majority Caucus Y; Minority Caucus Y
HB 2045 Fact Sheet Pending	Representative H. Carter (REP)	AHCCCS; Hospital Reimbursement Methodology Change the way hospitals are paid; no longer require legislature to approve new rates.	Assigned to Health Committee. House second read: 1/16/13 1/30/13: Do Pass
HB 2046 Fact Sheet Pending	Representative H. Carter (REP)	AHCCCS; Omnibus Prepare for Affordable Healthcare Act by removing the Healthcare Group Program. Changes some types of services offered by AHCCCS.	Assigned to Health Committee. House second read: 1/16/13 1/30/13: Recommendation Do Pass with ammendments
HB 2061 Fact Sheet Pending	Representative D. Goodale (REP)	Technical correction; deaf; blind schools Amends or changes the current ARS in support of converting property received by gift, purchase or devise into money or property that can then be used.	Not yet assigned to committee.

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Bill Number	Sponsor	Brief Description	Status
HB 2066 * Fact Sheet Pending	Representatives H. Carter (REP); K. Brophy McGee (REP);	Definitions; Archaic Language; Removal Makes various changes to definition sections of current ARS in order to remove archaic language.	Assigned to Reform and Human Services Committee and subsequently referred to Health Committee. House second read: 01/17/13 Recommendation: Do Pass 1/29/13: Majority Caucus Y; Minority Caucus Y
HB2089 Fact Sheet Pending	Representatives: K. Brophy McGee (REP); H. Carter (REP)	AHCCCS; Chronically Ill Children Amends or changes a variety of sections of the current statutes related to ACHHS.	Assigned to Health Committee and Appropriations Committee. House second read: 1/22/13 Recommendation: Do Pass
HB2091 Fact Sheet Pending	Representatives: K. Brophy McGee (REP); H. Carter (REP)	AHCCCS; Orthotic Services; Restoration Amends or changes services related to the AHCCCS system.	Assigned to Health Committee and Appropriations Committee. House second read: 1/22/13
HB 2144 Fact Sheet Pending	Representatives: K. Brophy McGee (REP); C. Miranda (DEM); H. Carter (REP); D. Goodale (REP)	Child Protective Services Amends or changes the current ARS that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.	Assigned to Reform and Human Services Committee. House second read: 1/23/13

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Bill Number	Sponsor	Brief Description	Status
HB 2148 Fact Sheet Pending	Representative C. Seel (REP)	DDD: Family Caregivers; Liability Amends or changes the Arizona Revised Statutes by addition language on family caregivers and the issue of liability for these people.	Assigned to Health Committee. House second read: 1/23/13
HB 2161 Fact Sheet Pending	Representatives: C. Campbell (DEM); E. Meyer (DEM), B. Wheeler (DEM), M. A. Cardenas (DEM), A. Delessandro (DEM); D. McCune Davis (DEM)	License Fee; Service Dogs; Waiver Amends or changes the language in the Arizona Revised Statutes on the process of animal registration and control.	Assigned to Agriculture and Water Committee. House second read: 1/23/13
HB 2195 Fact Sheet Pending	Representatives: C. Miranda (DEM); D. Lesko (REP); V. Steele (DEM); K. Brophy McGee (REP); M. A. Cardenas (DEM); L. C. Contreras (DEM); A. Dalessandro (DEM); R. Gabaldon (DEM); S. Gonzales (DEM); J. Mendez (DEM).	Schools; Student Behavior Threat Assessments Amends or changes the Arizona Revised Statutes relating to the State Board of Education.	Assigned to Education Committee and Public Safety, Military and Regulatory Affairs Committee. House second read: 1/24/13

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Bill Number	Sponsor	Brief Description	Status
HB 2214 Fact Sheet Pending	Representatives J. Dial (REP); J. Kavanagh (REP).	Job Training Programs; Qualified Applicants Amends or changes the Arizona Revised Statutes relating to Arizona job training programs.	Not yet assigned to committee.
HB 2224 Fact Sheet Pending	Representatives: L. Alston (DEM); S. Gonzales (DEM); J. Mendez (DEM).	Child Care Waiting List; Appropriations Amends or changes the Arizona Revised Statutes to provide financial support related to child care and doing away with waiting lists for services.	Assigned to Reform and Human Services Committee and Appropriations Committee. House second read: 1/23/13
HB 2270 Fact Sheet Pending	Representatives T. Forese (REP); B. Thorpe (REP)	Industry Specific Higher Education Programs Amends or changes the Arizona Revised Statutes concerning universities.	Assigned to Commerce Committee and Higher Education and Workforce Committee. House second read: 1/24/13

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Bill Number	Sponsor	Brief Description	Status
HB 2352 Fact Sheet Pending	Representatives C. Seel (REP); A. Kwasman (REP); S. Smith (REP); D. Stevens (REP); B. Thorpe (REP); K. Townsend (REP); J. Allen (REP); B. Barton (REP); S. Borrelli (REP); D. Livingston (REP); D. Mitchell (REP); Senators: J. Burges (REP); K. Ward (REP)	AHCCCS; Expansion; Prohibition Amends or changes the Arizona Revised Statute concerning the costs of Arizona Health Care Cost Containment System.	Assigned to Health Committee. House second read: 1/23/2013

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Bill Number	Sponsor	Brief Description	Status
HB 2354 Fact Sheet Pending	Representatives C. Seel (REP); A. Kwasman (REP); D. Stevens (REP); B. Thorpe (REP); J. Allen (REP); B. Barton (REP); D. Livingston (REP); D. Mitchell (REP); S. Smith (REP); K. Townsend (REP); Senator J. Burges (REP)	AHCCS: Childless Adults; Services; Prohibition Amends or changes the Arizona Revised Statutes relates to paying for Arizona Health Care Cost Containment System and services to childless adults.	Assigned to Health Committee. House second read: 1/23/2013
HB 2376 Fact Sheet Pending	Representative C. Campbell (DEM);	Mandatory Mental Health Evaluation; Admission Amends or changes the Arizona Revised Statutes related to mental health services.	Assigned to Public Safety, Military and Regulatory Affairs Committee and Appropriations Committee Second read: 1/23/2013
HB 2401 Fact Sheet Pending	Representative H. Carter (REP)	Service Animal; Definition. Amends or changes the Arizona Revised Statutes related to the handling of animals.	Not yet assigned to committee.

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Bill Number	Sponsor	Brief Description	Status
HB 2472 Fact Sheet Pending	Representatives B. Thorpe (REP); C. Seel (REP); D. Stevens (REP); B. Barton (REP); D. Livingston (REP); K. Townsend (REP); Senator C. Crandell (REP)	Pupils; Chronic Health Problems; Absences Amends or changes the Arizona Revised Statutes related to school district governing boards.	Assigned to Education Committee. House second read: 1/23/2013
HB 2476 Fact Sheet Pending	Representatives K. Townsend (REP); S. Borrelli (REP); A. Kwasman (REP); D. Lesko (REP); W. Peterson (REP); D. Stevens (REP);	Schools; Isolation Rooms; Restrictions This law amends or changes the Arizona Revised Statutes relating to pupil discipline.	Assigned to Education Committee. House second read: 1/23/2013

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Bill Number	Sponsor	Brief Description	Status
SB 1006 Fact Sheet Pending	Senator E. Ableser (DEM)	Appropriations; Adult Education Programs Provide \$4.6 million for adult education programs.	Assigned to Senate Appropriations Committee Senate second read: 1/15/13
SB 1093 Fact Sheet Pending	Senator J. McComish (REP); Representatives J. Dial (REP); B. Robson (REP)	Disability Placards; Non-profit Organizations Amends or changes the Arizona Revised Statutes related to special license plates.	Assigned to Senate Transportation Committee. Senate second read: 1/23/2013 Recommendation: Do Pass
SB 1100 Fact Sheet Pending	Senators: K. Yee (REP); K. Hobbs (DEM); L. Landrum Taylor (DEM); L. Lopez (DEM); R. Meza (DEM); L. Pancrazi (DEM); M. Raegan (REP); N. Barto (REP); D. Bradley (DEM); C. Crandell (REP); A Driggs (REP); G. Griffin (REP); S. Pierce (REP); K. Ward (REP)	ASDB; Continuation Continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.	Assigned to Senate Education Committee. Senate second read: 1/24/13 Recommendation: Do Pass 1/29/13: Majority Caucus Y; Minority Caucus Y

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Bill Number	Sponsor	Brief Description	Status
SB1108* Fact Sheet Pending	N. Barto (REP); J. Burges (REP); G. Griffin (REP); L. Landrum Taylor (DEM); R. Murphy (REP); D. Lesko (REP); A. Biggs (REP); D. Bradley (DEM); D. Shooter (REP); K. Ward (REP); S. Yarbrough (REP); K. Yee (REP)	Foster Home Licensure; Immunizations Prohibits DES from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.	Assigned to Health and Human Services Committee. Senate second read: 1/23/13
SB 1201* Fact Sheet Pending	S. Farley (DEM); K. Hobbs (DEM); Ethan Orr (REP); N. Barto (REP); A. Tovar (DEM);	Caregiver Registries	Assigned to Health and Human Services Committee and Appropriations Committee. Senate second read: 1/29/13.

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DETAILED INFORMATION

February 1, 2013

Bills Related to Developmental Disability Issues:

HB 2001: STATE HEALTH CARE EXCHANGE; PROHIBITION

Status: Not yet assigned to committee.

Summary: Part of the Patient Protection and Affordable Care Act (PPACA) requires a Health Insurance Exchange. A Health Insurance Exchange is a place where individuals may purchase health insurance with help from the federal government. This law would make the federal government responsible for establishing and administering the Health Insurance Exchange in Arizona.

Impact: • To be determined.

HB 2016: TECHNICAL CORRECTION; CHILDREN;
GUARDIANSHIP

Status: Not yet assigned to committee.

Summary: This law amends or changes the Arizona Revised Statutes relating to dependent children.

The court may order or permit the filing of a motion for termination or permanent guardianship before a permanency hearing.

Impact: • To be determined.

HB 2022: TECHNICAL CORRECTION; DES

Status: Not yet assigned to committee.

Summary: This law amends or changes the Arizona Revised Statutes relating to child welfare and placement.

This changes the administration of child placement as provided for in this part of the law to title 46, chapter 1.

Impact: • To be determined.

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HB 2044: ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS); CONTINUATION.

Status: Assigned to Health Committee. **Recommendation:** Do Pass.
1/29/13: Majority Caucus Y; Minority Caucus Y

Summary: This law would extend the AHCCCS system for 10 more years to July 1, 2023

Impact: • To be determined.

HB 2045: AHCCCS; HOSPITAL REIMBURSEMENT METHODOLOGY

Status: Assigned to Health Committee. **House second read: 1/16/13**
Recommendation: Do Pass

Summary: This law changes the way hospitals are paid using a process similar to those established in the Social Security Act. The law would no longer require the legislature to approve new rates.

Impact: • To be determined.

HB 2046: AHCCCS; OMNIBUS

Status: Assigned to Health Committee. **House second read: 1/16/13**
Recommendation: Do Pass with amendments

Summary: This law gets the state ready for the Patient Protection and Affordable Care Act (PPACA) by removing the Healthcare Group program. The Healthcare Group of Arizona was created in 1985 by the Arizona State Legislature. The Healthcare Group is a state-sponsored, public-private partnership created to provide reasonably priced healthcare coverage to small businesses with 2-50 employees and political subdivisions. This group is no longer necessary under the Patient Protection and Affordable Care Act (PPACA). The proposed law also changes some types of services covered by AHCCCS.

Impact: • To be determined.

HB 2061: TECHNICAL CORRECTION; DEAF; BLIND SCHOOLS

Status: Not yet assigned to committee.

Summary: Amends or changes the current Arizona Revised Statutes relate to the Arizona State Schools for the Deaf and Blind in support

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of converting property received by gift, purchase or devise that is not originally suitable for use into money or property that can then be used by these school campuses/locations.

Impact: • To be determined.

HB 2066: DEFINITION; ARCHAIC LANGUAGE; REMOVAL

Status: Assigned to Reform and Human Services Committee.

Subsequently referred to Health Committee.

**Recommendation: Do Pass. 1/29/13: Majority Caucus Y;
Minority Caucus Y**

Summary: Makes various changes to definition sections of statute in order to remove archaic language.

Impact: • To be determined.

HB 2089: AHCCCS; CHRONICALLY ILL CHILDREN

Status: Assigned to Health Committee and Appropriations Committee. House second read: 1/22/13 **Recommendation: Do Pass.**

Summary: This law amends or changes a variety of sections of the current statutes related to ACHHS.

This law would include the following actions:

- a) Use a definition of chronic illness or physical disability;
- b) Specify a diagnosis before the age of 21 years of age and whose primary diagnosis is a severe physical condition that requires ongoing medical intervention;
- c) As monies are available – a program will be established for these children that evaluates their needs; gathers statistical information; and sets up service delivery.
- d) A statewide information and referral service to enhance service delivery
- e) Acceptance of federal monies for these services
- f) This program will continue through July 1, 2023.

Impact: • To be determined.

HB 2091: AHCCCS; ORTHOTIC SERVICES; RESTORATION

Status: Assigned to Health Committee and Appropriations Committee. House second read: 1/22/13

Summary: This law amends or changes services related to the AHCCCS system.

This law restores coverage for orthotic device if it is prescribed; the device is less expensive than other treatment options or surgical procedures and it is medically recognized as the preferred treatment.

Impact: • To be determined.

HB 2144: CHILD PROTECTIVE SERVICES

Status: Assigned to Reform and Human Services Committee. House second read: 1/23/13

Summary: Amends or changes the section of the Arizona Revised Statutes that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.

Impact: • To be determined.

HB 2148: DDD: CAREGIVERS; LIABILITY

Status: Assigned to Health Committee. House second read: 1/23/13

Summary: Amends or changes the Arizona Revised Statutes by the addition of language on family caregivers and the issue of liability for these people. This law says that a person who provides medical care to a family member who has a developmental disability shall hold the department harmless for any medical condition that results from providing that care.

Impact: • To be determined.

HB 2161: LICENSE FEE; SERVICE DOGS; WAIVER

Status: Assigned to Agriculture and Water Committee. House second read: 1/23/13.

Summary: Amends or changes the language in the Arizona Revised Statutes on the process of animal registration and control.

This law permits the members of the Board of Supervisors of each Arizona County to not charge a person with disability and

who uses a service animal. The person with the service dog must provide proof that the dog is a service animal in order to not have to pay a regular fee.

Impact: • To be determined.

HB 2195: SCHOOLS; STUDENT BEHAVIOR THREAT ASSESSMENT

Status: Assigned to Education Committee and Public Safety, Military and Regulatory Affairs Committee.
House second read: 1/24/13.

Summary: This law amends or changes the Arizona Revised Statutes relating to the State Board of Education.

On or before January 1, 2015 the State Board of Education will adopt a pupil behavior threat assessment plan that may be used by school districts and charter schools. This will allow for coordination with mental health professionals and the law enforcement community.

Impact: • To be determined.

HB 2214: JOB TRAINING PROGRAMS; QUALIFIED APPLICANTS

Status: Not yet assigned to committee

Summary: This law amends or changes the Arizona Revised Statutes relating to Arizona job training programs.

Training opportunities will be awarded to the most qualified applicant; businesses will contribute in various forms to the cost of training as well as equipment (at a rate of about 25%). There will also be a connection to increased earnings for members of the current workforce who obtain new training.

Impact: • To be determined.

HB 2224: CHILD CARE WAITING LIST; APPROPRIATIONS

Status: Assigned to Reform and Human Services Committee and Appropriations Committee. House second read: 1/23/13

Summary: Amends or changes the Arizona Revised Statutes to provide financial support related to child care and doing away with waiting lists for services.

Impact: • To be determined.

HB 2270: INDUSTRY SPECIFIC HIGHER EDUCATION PROGRAMS

Status: Assigned to Commerce Committee and Higher Education and Workforce Committee. House second read: 1/24/13

Summary: Amends or changes the Arizona Revised Statutes concerning universities. This law partners an organization named the Arizona Commerce Authority and our state universities in Arizona with industries to develop college level programs that are tailored to each industry's needs. The goal is to identify and help industries that pay wages that exceed the state of Arizona's average wage.

Impact: • To be determined.

HB 2352: AHCCCS; EXPANSION; PROHIBITION

Status: Assigned to Health Committee. House second read: 1/23/13

Summary: Amends or changes the Arizona Revised Statute concerning the costs of Arizona Health Care Cost Containment System. This law requires that the Joint Legislative Budget Committee must tell the Governor of Arizona, the President of the Senate and the Speaker of the House of Representatives that expansion of the AHCCCS will not cause a budget increase in Arizona for the next twenty years before the program services can be expanded.

Impact: • To be determined.

HB 2354: AHCCS: CHILDLESS ADULTS; SERVICES; PROHIBITION

Status: Assigned to Health Committee. House second read: 1/23/13

Summary: Amends or changes the Arizona Revised Statutes that relates to paying for Arizona Health Care Cost Containment System and services to childless adults. This law would not allow the use of monies from any fund established under the written chapter 36 of the Arizona Revised Statutes to pay for services to childless adults.

Impact: • To be determined.

HB 2376: MANDATORY MENTAL HEALTH EVALUATION;
ADMISSION

Status: Assigned to Public Safety, Military and Regulatory Affairs Committee and Appropriations Committee
Second read: 1/23/2013

Summary: This law allows a peace officer who has contact with a person who possesses a firearm and the peace officer believes that the person as a result of mental illness is a danger to self or others, is persistently or acutely disabled or gravely disabled, the peace officer shall submit an application for a court ordered evaluation pursuant to Arizona Revised Statute Chapter 36-524. In addition, if it is deemed appropriate, an emergency admission can be also obtained. If a peace officer submits an application pursuant to this section, the peace officer shall temporarily seize the firearm.

Impact: • To be determined.

HB 2401: SERVICE ANIMAL; DEFINITION.

Status: Not yet assigned to committee.

Summary: Amends or changes the Arizona Revised Statutes related to the handling of animals. This law clarifies and expands the definition of the term service animal to include an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability including physical, sensory, psychiatric, intellectual or other mental disability. This includes a miniature horse that is individually trained to do work for a disabled individual.

Impact: • To be determined.

HB 2472: PUPILS; CHRONIC HEALTH PROBLEMS; ABSENCES

Status: Assigned to Education Committee.
House second read: 1/23/2013

Summary: Amends or changes the Arizona Revised Statutes related to school district governing boards. This law further clarifies that school district policies and procedures shall prohibit the district from expelling, suspending or withdrawing from enrollment pupils with chronic health problems due solely to extended absences from school.

Impact: • To be determined.

HB 2476: SCHOOLS; ISOLATION ROOMS; RESTRICTIONS

Status: Assigned to Education Committee.

House second read: 1/23/2013

Summary: This law amends or changes the Arizona Revised Statutes relating to pupil discipline. It provides for the following actions: beginning in the school year 2013-2014, disciplinary policies for the confinement of pupils left alone in an enclosed space will ensure the criteria for confinement; the size of the room in which the confinement will occur; the maximum number of minutes that the pupil will be physically prevented from exiting the room in which the confinement occurs; the method for monitoring the pupil.

Impact: • To be determined.

SB 1006: APPROPRIATIONS; ADULT EDUCATION PROGRAMS

Status: Assigned to Appropriations Committee. Senate second read: 1/15/2013.

Summary: This law would give the Department of Education \$4,600,000 for adult education programs. Specific programs have not been identified yet.

Impact: • To be determined.

SB 1093: DISABILITY PLACARDS; NON-PROFIT ORGANIZATIONS

Status: Assigned to Transportation Committee.

Senate second read: 1/23/2013. Recommendation: Do Pass.

Summary: Amends or changes the Arizona Revised Statutes related to special license plates. This law allows the issuance of up to three permanently disabled removable windshield placards to a nonprofit organization that provides assistance to senior citizens.

Impact: • To be determined.

SB 1100: ASDB; CONTINUATION

- Status:** Assigned to Senate Education Committee.
Senate second read: 1/24/2013 Recommendation: Do Pass.
1/29/13: Majority Caucus Y; Minority Caucus Y
- Summary:** This law continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.
The ASDB was established in 1912 to serve children from birth through age 21. The schools currently serve over 2200 students on three campuses, preschool services and contracted services provided at local schools. The Board continues until July 1, 2023 and there is no anticipated fiscal impact to the general fund.
- Impact:** • To be determined.
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- SB 1108:** FOSTER HOME LICENSURE; IMMUNIZATIONS
- Status:** Assigned to Health and Human Services Committee.
Senate second read: 1/23/2013
- Summary:** This law changes the requirements and condition of foster home licensure.
The Department of Economic Security is prohibited from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.
- Impact:** • To be determined.
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- SB 1201:** CAREGIVER REGISTRIES
- Status:** Assigned to Health and Human Services Committee and Appropriations Committee. Senate second read: 1/29/2013
- Summary:** Requires the Department of Health Services to establish registries of caregivers who have a substantiated history of abuse of persons with a developmental disability and persons who receive care in an assisted living facility, nursing care institution or in-home care. The registries must be available to the public on the Department's website.
- Impact:** • To be determined.